

Anton Martig

10/01/03 03:02 PM

To: Marianne Milette/R1/USEPA/US@EPA

cc:

Subject: PCB inadvertent generation

fyi

----- Forwarded by Anton Martig/R5/USEPA/US on 10/01/03 02:00 PM -----

Anton Martig

10/01/03 01:59 PM

To: Dea Zimmerman, David Star cc: Anthony Restaino, John Connell, Priscilla
Subject: PCB inadvertent generation

Dea, Dave,

Priscilla and I have received calls on the inadvertent generation and the distribution of PCBs involving facilities in Region 5. Both calls may involve the same facilities, but do involve enforcement matters. Details are below. Please assign someone from the enforcement program and let me know so I can inform Region 1.

Last week, Priscilla received a call from John Angstmana (spelling?) of Versar (630-268- 8555 ext 207). He called to report and ask questions about a facility in Region 5 (I think a client) that may have inadvertently generated PCBs over 50 ppm in pigment. He did not know the PCB concentration in the final product which included the pigment with over 50 ppm. He also reported that the final products have been sold and used, but did not know any details of the distribution. He did not identify the facility. Priscilla told him the facility should submit a self-disclosure to OECA - Tinka Hyde and should compile their process and sales information. The call to Priscilla could be (likely is) related to the call I received today, below.

On 10/1/03, I received a call from Marianne Milette of Region 1 (617-918-1854). She reported they are investigating and plan to meet with a company called Clariant about Clariant's inadvertent generation of PCBs and distribution in commerce of the inadvertently generated PCBs. Clariant's inadvertently generated PCBs also involved pigments. The Region 1 Clariant facility submitted a self-disclosure, and has reported to Region 1 that they sent the pigments with PCBs to Clariant facilities in Regions 3, 4, and 5. The Region 5 facilities are in IL, MI, MN. Marianne did a search on ISIS and found a Clariant facility in Mchenry IL had an enforcement action in 1999 for EPCRA. The ISIS identification number (not the docket number) is 05-1999-0226. Our files show a Clariant facility, under the name of Polymer Corporation of America, in Mchenry, IL whose parent co. is Clariant. There was a case involving EPCRA. I did not look for ones in MI or MN. Marianne also said the Clariant facility in Region 1 was on TRI and reported releases of PCBs as part of their process. You may find targets of similar inadvertent generation of PCBs by looking at TRI for reports of PCB releases similar to that of Clariant in Region 1. Region 1 is evaluating if the self-disclosure is possible since there are regulatory reporting requirements for inadvertent generation. Region will provide additional information, including anything they receive on the Region 5 facilities, after their meeting with Clariant.

Anton Martig

10/02/03 10:12 AM

To: Marianne Milette/R1/USEPA/US@EPA

cc:

Subject: inadvertent generation

Hi Marianne,

If/when you have information for us on the Region 5 facilities involving inadvertent generation of PCBs, the contact person is:

David Star, Enforcement Officer/Team Leader

Pesticides & Toxics Enforcement Section

U.S. EPA / Region 5 / Chicago

Telephone: (312) 886-6009

Facsimile: (312) 353-4788

Terence Bonace

10/01/03 03:01 PM

To: Marianne Milette/R1/USEPA/US@EPA

cc:

Subject: clarient

The violations were for not reporting in 1993: lead and chromium cmpds
1994 and 1995: lead, chromium, and zinc compounds

The SIC code there was 3087. The address was 1515 Miller Parkway, McHenry, IL. They paid \$99,000 in 8/99.



USEPA/Office of Pollution Prevention and Toxics
Non-Confidential Information Center (NCIC)
EPA Docket Center, (7407T)
1301 Constitution Avenue, NW, Room B-102
Washington, D.C. 20460
Phone: (202) 566-0280
Fax: (202) 566-0282
E-mail: oppt.ncic@epa.gov

FAX TRANSMISSION

Deliver to: Mary Ann Milet
Company: USEPA
Fax Number: 617-918-1810
Date: 9/30/2003 Pages Including Cover: 5

If you have any questions or problems receiving this transmission, please call the TSCA Docket at (202) 260-7099

MESSAGE:

This is the only item in the PCBN collection that was sent
in by Clariant.

Please let us know if you have further questions.

Mary Beth Weaver

Log #77



Clariant Life Science Molecules

Clariant LSM (Florida) Inc.
P.O. Box 1466
Gainesville, FL 32602-1466
352.376.8246
352.371.6248

RECEIVED
OCT 01 2000

DEC 27 2000

December 12, 2000

4PP
OPPT Document Control Officer (7407)
Environmental Protection Agency
401 M Street SW
Washington, DC 20460

42460

RE: Polychlorinated Biphenyl (PCB) Manufacture Exemption Petition

To whom it may concern,

Clariant LSM (Florida) Inc. received a Statement of Work for Coplanar PCB Analogue Synthesis (enclosed) from the United States Environmental Protection Agency (EPA). The Statement issues a request to Clariant to synthesize 5 grams of 5-(3,3', 4'-trichloro-4-biphenylthio)-valeric acid and 5 grams of 5-(3,4', 4'-trichloro-3-biphenylthio)-valeric acid for the EPA in order to complete the "Antibody Coated Sampling/Introduction Probe for Ion Trap Determination of Coplanar PCBs" as part of project "Antibodies for the Toxic Coplanar Polychlorinated Biphenyls and their Application to ELIZA."

At this time Clariant respectfully requests an exemption from the PCB manufacturing ban imposed by Section 6(e)(3)(A) of the Toxic Substances Control Act. Clariant is submitting this petition for exemption pursuant to 40 CFR § 750.11 in order to manufacture the material for the EPA. The following identifies the petitioner's name, address, phone number, and location of manufacturing site:

Name and Address: Clariant LSM (Florida) Incorporated
P. O. Box 1466
Gainesville, FL 32602

Manufacturing Site: Clariant LSM (Florida) Incorporated
5002 NE 54th Place
Gainesville, FL 32609

Phone Number: (352) 376-8246

Contain No CE

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Clariant requests the exemption specified in 40 CFR ^s 761.80(i) "...manufactured...solely for the purpose of R&D ..." for the length of one year. The total amount to be manufactured will be a net amount of 10 grams to be introduced into an R&D task. The items requested in 40 CFR ^s 750.11(c)(6)(7) and (8) were reasonably assumed to be ascertained by the EPA in their "Statement of Work."

All treated and untreated PCB regulated material and material coming into contact with regulated material will be stored and disposed of in accordance to 40 CFR ^s 761.80(i)(5). All PCB material manufactured under the requested exemption will be distributed in United States Department of Transportation authorized packaging. Records of all PCB related activities will contain the sources and annual amounts of PCBs manufactured and the recipients of the material. Additionally, all records will be retained for a period of three years after ceasing operations.

If there is a need for clarification or a request for additional information, please direct all inquiries to Roland Roberts at phone number (352) 376-8246 ext. 331.

Sincerely,


Roland Roberts

CLARIANT LSM (FLORIDA) INC.

ENCLOSURES

00 FRI 13:25 FAX 818 841 0611

EPA CMO RTP

42460

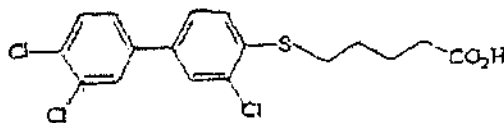
Statement of Work for Coplanar PCB Analogue Synthesis

Introduction This statement of work describes a task needed for the completion of the "Antibody Coated Sampling/Introduction Probe for Ion Trap determination of Coplanar PCBs," as part of project "Antibodies for the Toxic Coplanar Polychlorinated Biphenyls and their Application to ELISA."

Objective The contractor shall synthesize 5-(3,3',4'-trichloro-4-biphenylthio)-valeric acid and 5-(3',4,4'-trichloro-3-biphenylthio)-valeric acid, and for both compounds, shall provide to the EPA 5 grams of each compound and characterization data which proves the identity and purity of the delivered compounds. Characterization data are more fully described below in the "Scope of Work."

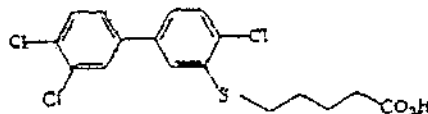
Scope of Work

Task 1 Synthesize 5 grams of 5-(3,3',4'-trichloro-4-biphenylthio)-valeric acid. The structure is shown below to avoid any potential nomenclature ambiguity.



Using Ullmann-based chemistry, prepare 5 grams of the target compound. Characterize the final product by elemental analysis, nuclear magnetic resonance spectroscopy (NMR), and high resolution mass spectrometry. Purity must be >> 99%.

Task 2 Synthesize 5 grams of 5-(3',4,4'-trichloro-3-biphenylthio)-valeric acid. The structure is shown below to avoid any potential nomenclature ambiguity.



Using Ullmann-based chemistry, prepare 5 grams of the target compound. Characterize the final product by elemental analysis, nuclear magnetic resonance spectroscopy, and high resolution mass spectrometry. Purity must be >> 99%.

ent By: ARCHIMICA (FLORIDA) RCM ;

352 375 0852;

Oct-24-00 15:08;

Page 2/2

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WOODY FISCHBACH

PAGE 03

RJUL1

/15/00 FRI 13:26 FAX 813 841 0811

EPA CMD RTP

Deliverables For both tasks 1 and 2, the deliverables will consist of 1) five grams of each compound in >> 99% purity, and 2) characterization data, including elemental analysis, C-13 and proton nuclear magnetic resonance spectra, and mass spectrometric data proving the structural identity and purity.

Acceptance Criteria For both tasks 1 and 2, acceptable performance shall be judged by both quantity of delivered material and unambiguous, characterization data, as defined above. Error limits of $\pm 0.4\%$ for each of the elements C, H, Cl, O, and S are considered to be acceptable. Spectral interpretation for both NMR spectra and mass spectra must be unambiguous to EPA chemists.

Delivery Schedule Completion is expected within 8-12 weeks of contract initiation for both tasks.



Peggy Reynolds

09/30/03 11:07 AM

To: Johnh Smith/DC/USEPA/US@EPA
cc: Marianne Millette/R1/USEPA/US@EPA
Subject: Re: Who do the notices of incidental manufacture go to?

John: Marianne is asking because I forwarded a "heads up" to Kim re: self disclosure of a violation of the excluded manufacturing process provision (i.e., 761.3, product leaving the manufacturing site exceeded 25 ppm). A certification is required under 761.185 (i.e., must report to EPA when products leaving the manufacturing site or is imported contains >2 ppm PCBs). There are other reports that are required by 761.187 when releases exceed the limitations established by the excluded manufacturing process provision. These reports go to the TSCA Docket (761.185(f)) and are to be sent ATTN: PCB Notification. The TSCA Docket can be reached at 202-566-0280 between the hours of 8:30 and 4:30, Monday through Friday. Their e-mail address is "oppt.ncic@epamail.epa.gov".

Hope this helps!

Peggy Reynolds
Environmental Protection Specialist
USEPA/OPPTS/OPPT/NPCD/FOB
1200 Pa. Ave., NW (Mail Code 7404T)
Washington, DC 20460-0001
Telephone: 202-566-0513
Fax: 202-566-0473
reynolds.peggy@epa.gov

Johnh Smith



Johnh Smith

09/30/03 10:40 AM

To: Peggy Reynolds/DC/USEPA/US@EPA
cc:
Subject: Who do the notices of incidental manufacture go to?

Peggy,

Marianne Millette from Region 1 called and asked this question. I don't remember the answer. She said that the regs say the DCO, but I don't know who that is. I told Marianne that I would get back to her with the answer. If you don't know, who does know?

John